IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 16593 of 2007(A)

PETITIONERS:

1. **K.A.DOLLY,**
   LADY HEALTH INSPECTOR,
   C.H.C. MUHAMMA, ALAPPUZHA DISTRICT.

2. **S.AMRUTHAKUMARI,**
   LADY HEALTH INSPECTOR,
   CHEMPUMPURAM, ALAPPUZHA DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY**
   TO GOVERNMENT, DEPARTMENT OF HEALTH & FAMILY WELFARE,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. **THE DIRECTOR OF HEALTH SERVICE,**
   THIRUVANANTHAPURAM.

3. **THE ADDITIONAL DIRECTOR OF HEALTH SERVICE,**
   THIRUVANANTHAPURAM.

4. **THE DISTRICT MEDICAL OFFICER, ALAPPUZHA.**

5. **THE DISTRICT MEDICAL OFFICER, THRISSUR.**

6. **AJITHAKUMARI.S., P.H.C.,**
   ERUMAPETTY, THRISSUR.

7. **T. USHAKUMARI,**
   PCH, NADATHARA, THRISSUR.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 16593 OF 2007-A

JUDGMENT

The petitioners challenge Ext.P2 order transferring them from Alappuzha district to Thrissur district. They have already completed their normal tenure in Alappuzha district. But, they say, they are being shifted to accommodate their juniors. They also claim protection on the ground that their fathers were freedom fighters.

2. This Court can interfere with a transfer, if the same is illegal or vitiated by mala fides. Except some vague allegations against the substitutes who are posted in the place of the petitioners, no material is available in this case to find that the transfer is vitiated by mala fides. Admittedly, no illegality is pleaded against the transfer. But, the learned counsel for the petitioners submits that the petitioners have preferred Exts.P6 and P7 representations, pointing out their grievances against the transfer. The learned counsel also points out that if promotions are made to the post of Health Supervisor, there will be sufficient number of vacancies, to accommodate the petitioners and others in Alappuzha district. If Exts.P6 and P7 are received and pending, the 2nd respondent will consider and pass orders on them as expeditiously as possible. Subject to

that direction, the writ petition is dismissed.

31st May, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/